

Court of Appeals, Division One

Criminal

1 CA-CR 19-0218

STATE v. CONCHOLA

Appellate Case Information

Case Filed: 26-Apr-2019

Case Closed:

Dept/Composition

Department D

Hon. Jennifer B Campbell
Hon. Lawrence F Winthrop
Hon. Peter B Swann

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Alice Jones, Esq. (AZ Bar No. 28062)

Side 2. DUANE KEITH CONCHOLA, Appellant

(Litigant Group) DUANE KEITH CONCHOLA

- Duane Keith Conchola

Attorneys for: Appellant

Aaron J Moskowitz, Esq. (AZ Bar No. 22246)

CASE STATUS

Sep 28, 2020....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2018-129534-001	Poss Wpn by Prohib Person, Class 4	10 Years	Ronda R Fisk, Sentencing	JURY	

CALENDAR

Wednesday MONTHLY COURT CASE CALENDAR
18-Nov-2020 Department D; CONFERENCE ROOM

CR Cases

68 PROCEEDING ENTRIES

- 26-Apr-2019 FILED: Notice of Appeal from Maricopa County Superior Court filed 04/19/19. Notification to Court Reporters dated 04/25/2019.
- 29-Apr-2019 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 06/13/2019. Benjamin A Armstrong ProTem Judge - Author
- 13-May-2019 FILED: Letter, undated, from Appellant to Court re: Transcripts/Counsel
- 14-May-2019 FILED: Letter, 5/14/19, from Court to Appellant, enclosing copy of docket
- 22-May-2019 FILED: Reporter's Transcript - 02/13/2019 - Trial - Day 1 (Scott A. Kindle)
- 23-May-2019 FILED: Untitled Letter re: Requesting Relief (Appellant Pro Per)
- 23-May-2019 FILED: Certificate of Mailing re: Untitled Letter re: Requesting Relief
- 24-May-2019 FILED: Reporter's Transcript - 02/14/2019 - Trial - Day 2 Morning Session (Scott A. Kindle)
- 24-May-2019 FILED: Reporter's Transcript - 02/19/2019 - Trial - Day 3 (Scott A. Kindle)
- 28-May-2019 FILED: Reporter's Transcript - 04/19/2019 - Priors and Sentencing - (Kristine Mayo)
- 29-May-2019 ORDERED: Untitled Letter re: Requesting Relief (Appellant Pro Per) = DENIED. Benjamin A Armstrong ProTem Judge - Author
- 31-May-2019 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: #88

Court of Appeals, Division One**Criminal****1 CA-CR 19-0218****STATE v. CONCHOLA****68 PROCEEDING ENTRIES**

13. 31-May-2019 FILED: Physical Exhibits: Hearing Date 2/13/19 - List and #1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 224, 227, 234, 241, 244, 245, 246, 247, 248, 249 in manila envelope; Hearing Date 2/19/19: List and #1, 2 in manila envelope; Hearing Date 4/19/19 - List and #1, 2, 4 in manila envelope; Confidential Criminal History Addendum in sealed manila envelope (All in Box)
14. 4-Jun-2019 FILED: Reporter's Transcript - 02/20/2019 - Trial - Day 4 (Scott A. Kindle)
15. 7-Jun-2019 FILED: Reporter's Transcript - 02/21/2019 - Trial - Day 5 (Scott A. Kindle)
16. 12-Jun-2019 FILED: Affidavit-Motion for Extension (of Time to File Transcripts) - (Celeste Jones)
17. 13-Jun-2019 ORDERED: Affidavit-Motion for Extension (of Time to File Transcripts) - (Celeste Jones) = GRANTED/Due dates EXTENDED to 07/15/2019 for transcripts dated 02/27/2019, 02/26/2019 or OSC set on 07/17/19. Hon Kenton D Jones - Author
18. 12-Jul-2019 FILED: Motion for Extension of Time (to File Transcripts) (Second Request) - (Celeste Jones)
19. 15-Jul-2019 FILED: Reporter's Transcript - 02/26/2019 - (Celeste Jones)
20. 16-Jul-2019 ORDERED: Motion for Extension of Time (to File Transcripts) (Second Request) - (Celeste Jones) = GRANTED/Due date EXTENDED from Monday, 07-15-2019 to Monday, 08-05-2019 for transcript dated 02/27/2019. FURTHER ORDERED: If the above-specified transcript is not filed by 08/05/19, a monetary sanction shall be imposed on Ms. Jones, in the amount of \$75 per day, beginning 08/06/19. FURTHER ORDERED: Vacating the OSC set on 07/17/19. FURTHER ORDERED: OSC set on 08/07/19. Hon Kenton D Jones - Author
21. 5-Aug-2019 FILED: Reporter's Transcript - 02/27/2019 - (Celeste Jones)
22. 5-Aug-2019 FILED: Courtesy Copy - Designation of Record for Appeal (Appellant)
23. 6-Aug-2019 ORDERED: Ken Crenshaw transcripts dated 06/29/18, 02/06/19, 02/11/19 due 09/05/19. FURTHER ORDERED: Court Reporter Nicole Buldis transcript dated 11/14/18 due 09/05/19. FURTHER ORDERED: Court Reporter Antoinette Salazar transcript dated 01/30/19 due 09/05/19. Hon Kenton D Jones - Author
24. 6-Aug-2019 ORDERED: Court Reporter Tara Kramer transcript dated 02/07/2019 due 09/05/2019. FURTHER ORDERED: Court Reporter Scott Kindle transcript dated 02/11/2019 due 09/05/2019. FURTHER ORDERED: Court Reporter Terry Masciola transcript dated 02/14/2019 due 09/05/2019. Hon Kenton D Jones - Author
25. 7-Aug-2019 FILED: Reporter's Transcript - 02/07/2019 - Motion to Amend Indictment A.M. - (Tara L. Kramer); Email regarding Designation of Record
26. 12-Aug-2019 ORDERED: Releasing to the Clerk of Maricopa County Superior Court, Exhibits 224, 234, 241, 246, 247 (Hearing Date 2/13/19) for use by the Honorable Ronda Fisk, for the temporary use in the Superior Court. FURTHER ORDERED: that said items be returned - in an unaltered condition - to the Clerk of the Court of Appeals, Division One, due by 08/26/2019. Amy M Wood - Author
27. 22-Aug-2019 FILED: Affidavit re: 01/30/2019 Proceedings - (Antoinette Salazar); ME dated 08/20/2019 re: Digital Proceedings of 01/30/2019
28. 23-Aug-2019 FILED: Additional Record on Appeal
Exhibits:
Returned Exhibits No. 224 234 241 246 and 247 in a Manila Envelope
29. 26-Aug-2019 ORDERED: Ken Crenshaw Transcript dated 01/30/2019 due on 09/25/2019. FURTHER ORDERED: Vacating in part this Court's 08/06/2019 order directing Ms. Salazar to prepare and file the transcript of the 01/30/2019 proceedings. Hon Kenton D Jones - Author
30. 28-Aug-2019 FILED: Reporter's Transcript - 02/11/2019 - Final Trial Management Conference (Scott A. Kindle)
31. 30-Aug-2019 FILED: Reporter's Transcript - 06/29/2018 - Not Guilty Arraignment (Kimberly McCright)
32. 30-Aug-2019 FILED: Reporter's Transcript - 02/06/2019 - Continuance (Kimberly McCright)
33. 30-Aug-2019 FILED: Reporter's Transcript - 02/11/2019 - Trial Setting (Kimberly McCright)
34. 4-Sep-2019 FILED: First Extension Request (to File Transcript) - (Terry Masciola)
35. 4-Sep-2019 ORDERED: First Extension Request to File Transcript - (Terry Masciola) = GRANTED. Due date EXTENDED from Thursday, 09-05-2019 to Monday, 10-07-2019 for Transcript dated 02/14/2019 or OSC set on 10/16/2019. Hon Kenton D Jones - Author

Court of Appeals, Division One**Criminal****1 CA-CR 19-0218****STATE v. CONCHOLA****68 PROCEEDING ENTRIES**

36.	5-Sep-2019	FILED: Reporter's Transcript - 11/14/2018 - FTMC (Nicole Buldis)
37.	20-Sep-2019	FILED: Reporter's Transcript - 01/30/2019 - Final Trial Management Conference (Kimberly McCright)
38.	5-Oct-2019	FILED: Reporter's Transcript - 02/14/2019 - Trial (Terry Masciola)
39.	8-Oct-2019	FILED: Notice of Completion of Record
40.	6-Nov-2019	FILED: Notice of Appearance; Certificate of Service (Appellant)
41.	6-Nov-2019	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
42.	18-Nov-2019	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED. Upon presentation of this order unsealing the Court Information Sheets, IOR 2 and 8, and the Random List, IOR 62, for parties/agents for this appeal only. Benjamin A Armstrong ProTem Judge - Author
43.	22-Nov-2019	FILED: Email Request for 1st Extension of Time to File Opening Brief (Appellant)
44.	26-Nov-2019	ORDERED: Email Request for 1st Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 11-22-2019 to Monday, 12-23-2019. Barbara Vidal Vaught ProTem Judge - Author
45.	12-Dec-2019	FILED: Reporter's Transcript - 02/07/2019 - Oral Argument - (Antoinette Salazar)
46.	13-Dec-2019	FILED: Motion to Extend Time to File the Opening Brief; Certificate of Service (Appellant)
47.	16-Dec-2019	ORDERED: Motion to Extend Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-23-2019 to Wednesday, 01-22-2020. Benjamin A Armstrong ProTem Judge - Author
48.	9-Jan-2020	FILED: Motion to Supplement the Record; Certificate of Service (Appellant)
49.	13-Jan-2020	ORDERED: Motion to Supplement the Record (Appellant) = GRANTED. Ken Crenshaw transcripts due 02/27/2020. FURTHER ORDERED: Extending the time for filing opening brief to/including 03/30/2020. Benjamin A Armstrong ProTem Judge - Author
50.	12-Feb-2020	FILED: Motion to Supplement Record; Certificate of Service (Appellant)
51.	25-Feb-2020	ORDERED: Motion to Supplement Record (Appellant) = GRANTED. Including a copy of the e-mail exchange filed in Maricopa County Superior Court case number CR2018-129534-001 on 02/07/2020. FURTHER ORDERED: The Clerk of the Maricopa County Superior Court supplement the record on appeal by forwarding to this court a copy of the above-described e-mail exchange, marked for filing in this court's case number 1 CA-CR 19-0218, no later than 03/16/2020. Benjamin A Armstrong ProTem Judge - Author
52.	16-Mar-2020	FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes previously filed transcripts dated 02/20/2019, 02/21/2019, 02/11/2019)
53.	24-Mar-2020	FILED: Motion to Extend Time to File the Opening Brief; Certificate of Service (Appellant)
54.	25-Mar-2020	ORDERED: Motion to Extend Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-30-2020 to Wednesday, 04-29-2020. Benjamin A Armstrong ProTem Judge - Author
55.	27-Mar-2020	ORDERED: Ken Crenshaw transcript dated 02/26/2019 due by 04/27/2020 or OSC will set. FURTHER ORDERED: Opening brief due date EXTENDED to 05/27/2020. Benjamin A Armstrong ProTem Judge - Author
56.	31-Mar-2020	FILED: Notice of Appellant's Receipt of Transcript; Certificate of Service (Appellant)
57.	10-Apr-2020	FILED: Reporters Transcript - 02/26/2019 - Trial Day 6 - (Janice Penfield)
58.	27-May-2020	FILED: Motion To Supplement the Record With Transcription of Audio Recording; Certificate of Service (Appellant)
59.	27-May-2020	FILED: Appellant's Opening Brief; Certification of Compliance with Rule 31.12, ARCP; Certificate of Service (Appellant)
60.	9-Jun-2020	ORDERED: Motion To Supplement the Record With Transcription of Audio Recording (Appellant) = GRANTED and supplementing the record with the transcript of the audio recording of appellant's interrogation that is attached to the motion to supplement. Benjamin A Armstrong ProTem Judge - Author
61.	10-Jun-2020	FILED: Notice of Appearance; Certificate of Service (Appellee)
62.	26-Jun-2020	FILED: Motion for Extension of Time to File Answering Brief (First Request); Certificate of Service (Appellee)
63.	29-Jun-2020	ORDERED: Motion for Extension of Time to File Answering Brief (First Request) (Appellee) = GRANTED. Due date EXTENDED from Monday, 07-06-2020 to Wednesday, 08-05-2020. Benjamin A Armstrong ProTem Judge - Author

Court of Appeals, Division One

Criminal

1 CA-CR 19-0218

STATE v. CONCHOLA

68 PROCEEDING ENTRIES

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| 64. | 5-Aug-2020 | FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee) |
| 65. | 25-Aug-2020 | FILED: Appellant's Reply Brief; Certification of Compliance with Rule 31.12, ARCP; Certificate of Service (Appellant) |
| 66. | 14-Sep-2020 | FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days |
| 67. | 24-Sep-2020 | FILED: Supplemented Superior Court e-Record with Revised Index of Record |
| 68. | 28-Sep-2020 | CLNDR: CONFERENCE, Department D, 11-18-20, CONFERENCE ROOM. |